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Attorneys for Defendant

MATSON NAVIGATION COMPANY, INC.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

BERT MEYER,

Plaintiff,

vs.

MATSON NAVIGATION COMPANY,  
INC.; and PACIFIC LIVESTOCK,  
INC.,

Defendants.

CIVIL NO. 1:04cv 00049JMS-BMK  
(In Admiralty)

DEFENDANT MATSON  
NAVIGATION COMPANY, INC.'S  
MOTION FOR SUMMARY  
JUDGMENT; MEMORANDUM IN  
SUPPORT OF MOTION;  
CERTIFICATE OF SERVICE

**DEFENDANT MATSON NAVIGATION COMPANY, INC.'S|**  
**MOTION FOR SUMMARY JUDGMENT**

COMES NOW Defendant Matson Navigation Company, Inc.

("Matson Navigation"), by and through its attorneys, Goodsill Anderson Quinn & Stifel, LLP, and hereby moves this Honorable Court for summary judgment in favor of Matson Navigation.

This Motion is based upon Rules 7 and 56(b) of the Federal Rules of Civil Procedure, Local Rules 7.1, 7.2, 7.3, 7.5, and 56.1, the attached Memorandum in Support of Motion, the Separate and Concise Statement filed concurrently herewith and incorporated herein, and the records, files and pleadings herein and such further affidavits or memoranda that this Court may require or allow.

DATED: Honolulu, Hawaii, January 9, 2006.

/s/ Randolph L.M. Baldemor

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